

DEPARTMENT OF FISH AND GAME

WILDLIFE CONSERVATION BOARD

1807 13TH STREET, SUITE 103
SACRAMENTO, CALIFORNIA 95811
(916) 445-8448
FAX (916) 323-0280
www.wcb.ca.gov

NOTICE OF MEETING

WILDLIFE CONSERVATION BOARD

November 17, 2009
10:00 AM
1/ State Capitol, Room 112
Sacramento, California 95814

FINAL AGENGA ITEMS

ITEM NO.	PAGE NO.
1. Roll Call	1
2. Funding Status — Informational	2
3. Proposed Consent Calendar (Items 4—7)	6
*4. Approval of Minutes — September 8, 2009	6
*5. Recovery of Funds	6

* Proposed Consent Calendar
1/ These facilities are accessible to persons with disabilities

ITEM NO.		PAGE NO.
*6.	Willow Hole Conservation Area Riverside County To consider the acceptance of a U. S. Fish and Wildlife Service grant and the approval to subgrant the federal funds to the Coachella Valley Conservation Commission to acquire two properties totaling 154± acres to protect and enhance existing regional wildlife linkages and aeolian and fluvial sand transport areas within one of four priority areas of the Coachella Valley Multiple Species Habitat Conservation Preserve areas, east of Desert Hot Springs and north of Highway 10, in Riverside County. The proposed funding source allows for grants to implement or assist in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c)]	\$10,000.00 10
*7.	Trabuco Canyon, Expansion I Orange County To consider the acquisition of 50± acres to protect critical low elevation wildlife corridors, protect California gnatcatcher habitat, provide connectivity to other protected lands in the area and prevent habitat fragmentation located in the foothills of the Santa Ana Mountains, in the community of Trabuco Canyon, in Orange County. All costs associated with this acquisition are being paid by the Santa Margarita Water District to settle additional mitigation obligations as a result of building an expanded water reservoir.	\$0.00 11
8.	Cosumnes River Wildlife Area – Oneto/Denier Property Sacramento County To consider the consent to the sale of a floodplain easement by The Nature Conservancy over the 617± acre Oneto/Denier property to the Natural Resources Conservation Service, and amendment of the State's grant agreement to provide that the proceeds from the sale of the easement be used for habitat preservation, restoration and management of the property, located in the Cosumnes River Wildlife Area, in Sacramento County.	\$0.00 13
9.	Humboldt Coastal Nature Center, Public Access Facilities Augmentation Humboldt County To consider the allocation for a grant augmentation to the Friends of the Dunes to complete development of a public parking area and accessible public restroom facilities at the Humboldt Coastal Nature Center, located	\$150,000.00 15

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immediately to the north of the community of Manila, Humboldt County. The proposed funding source for this project allows for the construction of public access facilities for hunting, fishing and other wildlife-oriented recreational uses. [Wildlife Restoration Fund (Minor Capital Outlay)]

- | | | | |
|-----|--|-------------|----|
| 10. | Six Rivers (Chalk Mountain Ranch)
Humboldt County | \$35,000.00 | 17 |
|-----|--|-------------|----|

To consider a cooperative project with the California Department of Forestry and Fire Protection (CAL FIRE) and the North Coast Regional Land Trust wherein the State proposes to accept federal Forest Legacy Program funds, through an interagency agreement with CAL FIRE, and the approval to apply the federal funds to acquire a conservation easement over 3,268± acres in favor of CAL FIRE to protect forest land, important scenic, fish, wildlife, riparian areas and other ecological values, located near the City of Fortuna and community of Bridgeville, in Humboldt County. The proposed funding source allows for the acquisition or restoration of forest lands to meet federal matching requirements of the federal Forest Legacy Program. [Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Fund, (Proposition 12), Section 5096.350 (a)(4)(1)]

- | | | | |
|-----|--|----------------|----|
| 11. | Truckee Basin (Independence Lake)
Nevada County | \$5,510,000.00 | 18 |
|-----|--|----------------|----|

To consider the allocation for a grant to The Nature Conservancy, subject to the availability of bond funds, for a cooperative project with the Department of Fish and Game, Federal Desert Terminal Lake Fund, California Resources Agency, Morgan Family Foundation and the Sierra Nevada Conservancy to acquire 2,323± acres of riparian forest and meadow stream habitats and to protect habitat for the federally listed Lahontan cutthroat trout, located approximately 10 miles north of the Town of Truckee, in Nevada County. The proposed funding source allows for the acquisition of habitat that promotes the recovery of threatened and endangered species, that provides corridors linking separate habitat areas to prevent habitat fragmentation, and that protects significant natural landscapes and ecosystems. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)]

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12. Jenner Headlands \$8,010,000.00 21
 Sonoma County

To consider the allocation for a grant to the Sonoma Land Trust, subject to the availability of bond funds, for a cooperative project with the California Coastal Conservancy, the federal Forest Legacy Program, the Sonoma County Agricultural Preservation and Open Space District, the Moore Foundation and the National Oceanic and Atmospheric Administration's Coastal and Estuarine Land Conservation Program, to acquire fee title to the 5,630± acre Jenner Headlands property thirty miles northwest of Santa Rosa, immediately north and east of the community of Jenner, in Sonoma County. The purposes of this acquisition project are forest conservation, preservation and restoration, and conservation of water resources and natural habitats for native fish, wildlife and plants, and are consistent with the proposed funding source. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(a)]

13. San Joaquin Multi-Species Conservation \$90,000.00 24
 Plan (2007), (2008), (2009)
 San Joaquin and Contra Costa Counties

To consider the acceptance of three U.S. Fish and Wildlife Service grants and approval to subgrant the federal funds to the East Contra Costa County Habitat Conservancy to be applied toward the acquisition of target properties identified in the federal grants to help implement the East Contra Costa County Natural Community Conservation Plan/Habitat Conservation Plan by protecting critical wildlife corridors and habitat for threatened and endangered species in San Joaquin and Contra Costa Counties. The proposed funding source for this project allows for grants to implement or assist in the establishment of Natural Community Conservation Plans. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(c)]

14. Los Vaqueros Ranch Conservation Easement \$8,000.00 26
 Monterey County

To consider the acceptance of a U.S. Fish and Wildlife Service grant and approval to subgrant the federal funds to The Nature Conservancy to be applied toward the acquisition of a conservation easement over 1,337± acres of property identified in the federal grant to protect critical steelhead trout habitat as well as habitat for sensitive wildlife species including the red-legged frog, yellow-legged frog, western pond turtle and intact populations of native fish, oak woodlands and grasslands in Monterey

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County. The proposed funding source for this project allows for the acquisition of habitat to protect rare, threatened and endangered or fully protected species, provide corridors linking separate habitat areas and protect significant natural landscapes. [Habitat Conservation Fund, (Proposition 117), Section 2786(b/c)]

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|-----|---|---------------|----|
| 15. | 2010 Wildlife Conservation Board Meeting Schedule | Informational | 28 |
|-----|---|---------------|----|

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WILDLIFE CONSERVATION BOARD

November 17, 2009
10:00 A.M.
State Capitol, Room 112
Sacramento, California 95814

1. Roll Call

WILDLIFE CONSERVATION BOARD MEMBERS

Jim Kellogg, Member
President, Fish and Game Commission
Karen Finn, Program Budget Manager
Vice, Michael C. Genest, Member
Director, Department of Finance
John McCamman, Member
Acting Director, Department of Fish and Game

JOINT LEGISLATIVE ADVISORY COMMITTEE

Senator Abel Maldonado
Senator Fran Pavley
Senator Patricia Wiggins

Assembly Member Sam Blakeslee
Assembly Member Jared Huffman
Assembly Member Ira Ruskin

EXECUTIVE DIRECTOR

John P. Donnelly

2. Funding Status — Informational

(a) 2009-10 Wildlife Restoration Fund Capital Outlay Budget

Budget Act.....	\$1,000,000.00
Less Previous Board Allocations	(\$0.00)
Unallocated Balance	\$1,000,000.00

(b) 2008-09 Wildlife Restoration Fund Capital Outlay Budget

Budget Act.....	\$1,000,000.00
Less Previous Board Allocations	(\$681,596.00)
Unallocated Balance	\$318,404.00

(c) 2006-07 General Fund Capital Outlay Budget

Budget Act.....	\$5,000,000.00
Less Previous Board Allocations	(\$3,465,000.00)
Less 2009-10 Budget Act Reversion	(\$1,535,000.00)
Unallocated Balance	\$0.00

(d) 2009-10 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,668,000.00
Less Previous Board Allocations	(\$0.00)
Unallocated Balance.....	\$20,668,000.00

(e) 2008-09 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,668,000.00
Less Previous Board Allocations	(\$405,000.00)
Unallocated Balance.....	\$20,263,000.00

(f) 2007-08 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,674,000.00
Less Previous Board Allocations	(\$13,270,192.68)
Unallocated Balance.....	\$7,403,807.32

(g) 2006-07 Habitat Conservation Fund Capital Outlay Budget

Budget Act.....	\$20,699,000.00
Less Previous Board Allocations	(\$9,332,884.32)
Unallocated Balance.....	\$11,366,155.68

- (h) 1999-00 Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund Capital Outlay Budget
 - Continuously Appropriated [Sec. 5096.350 (a)(1), (2), (4) & (7)] ... \$36,100,000.00
 - Less Previous Board Allocations (\$27,480,085.39)
 - Unallocated Balance..... \$8,619,914.61

- (i) 2004-05 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund Capital Outlay Budget (2007-08 Reappropriation)
 - Budget Act (San Joaquin River Conservancy Projects)..... \$11,000,000.00
 - Less Previous Board Allocations (\$409,302.00)
 - Unallocated Balance..... \$10,590,698.00

- (j) Chapter 983, Statutes of 2002
 - Budget Act (2009-10 Reappropriation) \$4,800,000.00
 - Less Previous Board Allocations (\$4,611,364.58)
 - Unallocated Balance..... \$188,635.42

- (k) 2001-02 California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund Capital Outlay Budget
 - Continuously Appropriated (Section 5096.650) \$273,000,000.00
 - Less Previous Board Allocations (\$182,962,544.00)
 - Unallocated Balance..... \$90,037,456.00

- (l) 2004-05 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget (Section 79568)
 - Budget Act (2008-09 Reappropriation) \$13,250,000.00
 - Less Previous Board Allocations (\$13,089,784.38)
 - Unallocated Balance..... \$160,215.62

- (m) 2002-03 Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 Capital Outlay Budget
 - Continuously Appropriated (Sections 79565 and 79572), including Chapter 81, Statutes of 2005..... \$814,350,000.00
 - Less 2003-04 Budget Act Transfer to HCF from Section 79565.. (\$21,000,000.00)
 - Less 2004-05 Budget Act Transfer to HCF from Section 79565.. (\$21,000,000.00)
 - Less 2005-06 Budget Act Transfer to HCF from Section 79565.... (\$4,000,000.00)
 - Less 2005-06 Budget Act Transfer to HCF from Section 79572.... (\$3,100,000.00)
 - Less 2006-07 Budget Act Transfer to HCF from Section 79572.. (\$17,688,000.00)
 - Less 2007-08 Budget Act Transfer to HCF from Section 79572 (\$5,150,000.00)
 - Less 2008-09 Budget Act Transfer to HCF from Section 79572.... (\$1,000,000.00)
 - Less Previous Board Allocations (\$548,474,159.16)
 - Unallocated Balance..... \$96,447,297.61

- (n) 2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
Less Previous Board Allocations	(\$0.00)
Unallocated Balance.....	\$10,000,000.00

- (o) 2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
Less Previous Board Allocations	(\$0.00)
Unallocated Balance.....	\$10,000,000.00

- (p) 2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (San Joaquin River Conservancy Projects)	\$10,000,000.00
Less Previous Board Allocations	(\$50,000.00)
Unallocated Balance.....	\$9,950,000.00

- (q) 2009-10 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (NCCP Section 75055c).....	\$10,000,000.00
Less Previous Board Allocations	(\$0.00)
Unallocated Balance.....	\$10,000,000.00

- (r) 2008-09 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (NCCP Section 75055c).....	\$25,000,000.00
Less Previous Board Allocations	(\$25,000.00)
Unallocated Balance.....	\$24,975,000.00

- (s) 2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget

Budget Act (NCCP Section 75055c).....	\$25,000,000.00
Less Previous Board Allocations	(\$13,721,722.00)
Unallocated Balance.....	\$11,278,278.00

(t)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(1))	\$14,293,000.00
	Less Previous Board Allocations	(\$2,176,768.00)
	Unallocated Balance.....	\$12,116,232.00
(u)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(2))	\$14,293,000.00
	Less Previous Board Allocations	(\$1,298,444.00)
	Unallocated Balance.....	\$12,994,556.00
(v)	2007-08 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Budget Act (Section 75055(d)(4))	\$4,762,000.00
	Less Previous Board Allocations	(\$1,405,600.00)
	Unallocated Balance.....	\$3,356,400.00
(w)	2006-07 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 Capital Outlay Budget	
	Continuously Appropriated (Section 75055a)	\$164,700,000.00
	Less Previous Board Allocations	(\$25,000.00)
	Unallocated Balance.....	\$164,675,000.00
	Continuously Appropriated (Section 75055b)	\$123,525,000.00
	Less Previous Board Allocations	(\$16,454,008.50)
	Unallocated Balance.....	\$107,070,991.50

RECAP OF FUND BALANCES

Wildlife Restoration Fund (a) and (b).....	\$1,318,404.00
General Fund (c)	\$0.00
Habitat Conservation Fund (d), (e), (f) and (g).....	\$59,700,963.00
Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (h)	\$8,619,914.61
California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Fund (i), (j) and (k)	\$100,816,789.42
Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (l) and (m).....	\$106,490,543.23
Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (n), (o), (p), (q), (r),	

(s), (t), (u), (v) and (w) \$376,416,457.50

RECAP OF NATURAL HERITAGE PRESERVATION TAX CREDIT ACT OF 2000

Natural Heritage Preservation Tax Credit Act of 2000
Chapter 113, Statutes of 2000 and Chapter 715, Statutes of 2004

Total Tax Credits Available..... \$100,000,000.00
Less Previously Awarded Tax Credits (48,598,734.00)
Balance of Tax Credits Available..... \$51,401,266.00

Note: The Natural Heritage Preservation Tax Credit Program is suspended effective June 30, 2008.

- 3. Proposed Consent Calendar (Items 4—7)
- *4. Approval of Minutes — September 8, 2009 Meeting
- *5. Recovery of Funds

The following projects previously authorized by the Board are now completed, and some have balances that can be recovered and returned to their respective funds. It is recommended that the following totals be recovered and that the projects be closed.

\$0.00 to the **General Fund**
\$119,909.65 to the **Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund**
\$62,624.38 to the **Habitat Conservation Fund**
\$1,110,453.20 to the **California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund**
\$372,996.90 to the **Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002**

GENERAL FUND

San Joaquin River Parkway, Lewis S. Eaton Trail, Fresno County

Allocated	\$101,790.00
Expended	<u>-101,790.00</u>
Balance for Recovery	\$0.00

Total General Fund **\$0.00**

SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND FUND

San Joaquin River Parkway, Lewis S. Eaton Trail, Fresno County

Allocated	\$644,640.00
Expended	<u>-526,922.35</u>
Balance for Recovery	\$117,717.65

Western Riverside County MSHCP, Expansion 3, Riverside County

Allocated	\$5,000.00
Expended	<u>-2,808.00</u>
Balance for Recovery	\$2,192.00

**Total Safe Neighborhood Parks, Clean Water,
Clean Air, and Coastal Protection Bond Fund** **\$119,909.65**

HABITAT CONSERVATION FUND

Gray Lodge Wildlife Area Wells, Butte County

Allocated	\$300,000.00
Expended	<u>-300,000.00</u>
Balance for Recovery	\$0.00

Riparian Habitat Restoration, Cache Creek, Lower Reach, Phase II, Yolo County

Allocated	\$500,000.00
Expended	<u>-500,000.00</u>
Balance for Recovery	\$0.00

Sacramento River Riparian Restoration, Drumheller Slough Unit, Glenn County

Allocated	\$648,000.00
Expended	<u>-640,138.12</u>
Balance for Recovery	\$7,861.88

San Jacinto Wildlife Area Wetland Restoration, Riverside County

Allocated	\$680,000.00
Expended	<u>-625,237.50</u>
Balance for Recovery	\$54,762.50

Total Habitat Conservation Fund **\$62,624.38**

**CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD
PARKS, AND COASTAL PROTECTION FUND**

Dobe Swale Riparian Restoration, Modoc County

Allocated	\$226,000.00
Expended	<u>-225,936.78</u>
Balance for Recovery	\$63.22

Elkhorn Slough Ecological Reserve, Expansion 13 and Augmentation,
Monterey County

Allocated	\$156,500.00
Expended	<u>-137,876.00</u>
Balance for Recovery	\$18,624.00

Elkhorn Slough Ecological Reserve, Expansion 14, Monterey County

Allocated	\$670,000.00
Expended	<u>-663,582.00</u>
Balance for Recovery	\$6,418.00

Elkhorn Slough Ecological Reserve, Expansion 15, Monterey County

Allocated	\$770,000.00
Expended	<u>-758,769.00</u>
Balance for Recovery	\$11,231.00

La Posta, Department of Defense, Department of the Navy, San Diego County

Allocated	\$270,000.00
Expended	<u>-207,699.00</u>
Balance for Recovery	\$62,301.00

San Joaquin River Parkway, Habitat Restoration and Public Access, Jensen
River Ranch, Phase I, Fresno County

Allocated	\$2,118,226.00
Expended	<u>-2,118,226.00</u>
Balance for Recovery	\$0.00

San Joaquin River Parkway, Habitat Restoration and Public Access,
Jensen River Ranch, Phase I Augmentation, Fresno County

Allocated	\$1,699,158.00
Expended	<u>-738,253.49</u>
Balance for Recovery	\$960,904.51

San Joaquin River Parkway, Weed Eradication, Jensen River Ranch,
Fresno County

Allocated	\$146,500.00
Expended	<u>-145,302.52</u>
Balance for Recovery	\$1,197.48

San Joaquin River Riparian Habitat, Expansion 14, Fresno County

Allocated	\$6,435,500.00
Expended	<u>-6,386,604.50</u>
Balance for Recovery	\$48,895.50

Walters Creek Habitat Restoration, San Luis Obispo County

Allocated	\$290,000.00
Expended	<u>-290,000.00</u>
Balance for Recovery	\$0.00

Working and Learning Among Oaks, San Luis Obispo County

Allocated	\$107,618.00
Expended	<u>-106,799.51</u>
Balance for Recovery	\$818.49

Total California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund **\$1,110,453.20**

WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION FUND OF 2002

Bahia Wetland Restoration, Phase I, Marin County

Allocated	\$835,800.00
Expended	<u>-835,800.00</u>
Balance for Recovery	\$0.00

Bair Island Ecological Reserve, Outer Bair Tidal Wetland Restoration, San Mateo County

Allocated	\$563,000.00
Expended	<u>-563,000.00</u>
Balance for Recovery	\$0.00

Russian River Watershed Riparian Habitat Restoration, Sonoma and Mendocino Counties

Allocated	\$1,389,600.00
Expended	<u>-1,354,926.21</u>
Balance for Recovery	\$34,673.79

Topanga State Park Rodeo Grounds Stream Restoration, Los Angeles County

Allocated	\$1,591,300.00
Expended	<u>-1,591,300.00</u>
Balance for Recovery	\$0.00

Wetland Habitat Restoration, Eden Landing Ecological Reserve, Alameda County

Allocated	\$2,260,000.00
Expended	<u>-2,260,000.00</u>
Balance for Recovery	\$0.00

Wetland Habitat Restoration, Eden Landing Ecological Reserve, Augmentation,
Alameda County

Allocated	\$1,300,000.00
Expended	<u>-961,676.89</u>
Balance for Recovery	\$338,323.11

Total Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 \$372,996.90

- *6. Willow Hole Conservation Area \$10,000.00
Riverside County

This proposal is to consider the acceptance of a Habitat Conservation Planning Land Acquisition Grant from the U. S. Fish and Wildlife Service (USFWS) and the authorization to enter into an Agreement to Subgrant the federal funds to the Coachella Valley Conservation Commission (CVCC) to acquire two privately-owned properties totaling 154± acres as the initial acquisition project for the Willow Hole Conservation Area, in Riverside County. A cooperative project with the USFWS, the CVCC, the Wildlife Conservation Board (WCB), and the California Department of Fish and Game, the acquisition project will allow for the protection of blowsand habitat essential for recovery of the fringe-toed lizard and protection from development that is occurring in the southern and western reaches of the Coachella Valley. This acquisition is part of the Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan approved for the Coachella Valley portion of Riverside County.

The project area is located southeast of Desert Hot Springs and just north of Highway 10. Desert Dunes golf course lies roughly one mile north of the subject parcels and the City of Palm Springs is located about six miles to the southwest.

The acquisition of subject parcels will provide core habitat, linkages, and fluvial and Aeolian sand transport corridors important for the Coachella Valley fringe-toed lizard (CVFTL). Although the CVFTL is the only federally listed species covered under the USFWS grant, the conserved land provides habitat for several species of special concern. These include the Palm Springs pocket mouse, Coachella Valley round-tailed ground squirrel, Flat-tailed horned lizard, Barrow's dune beetle, Coachella giant sand-treader cricket, Coachella Valley grasshopper, Coachella Valley Jerusalem cricket, and the Coachella Valley milk-vetch.

This vital CVFTL habitat continues to be threatened by ongoing urban development, off-road vehicle use, invasive species and loss of sand source. A majority of the lizard's historic habitat has been eliminated or degraded by the direct and indirect effects of development. Structures and non-native plant species restrict the once free-moving sand deposits and prevent replenishment of the blowsand habitat which the lizard relies upon. Acquisition of these parcels will also help to establish a protective buffer against the encroaching residential and agriculture lands surrounding this project.

When acquired, the properties will be managed by the CVCC. The habitat is to be maintained in conjunction with other properties to form the Coachella Valley Multiple Species Conservation Plan/Natural Community Conservation Plan. The area may be appropriate for passive recreational uses.

The CVCC proposes to purchase the two properties from the owners at the appraised fair market value of \$1,234,240.00 as approved by the Department of General Services (DGS). The proposed Agreement to Subgrant the federal funds provided by the USFWS Habitat Conservation Planning Land Acquisition Grant will provide 75% of the approved appraised value of the properties or \$925,680.00. The matching fund requirement will be provided by the CVCC through the use of an EEMP Grant. The CVCC will also provide all funds necessary for escrow related expenses including title insurance and escrow fees from EEMP funds. It is estimated that \$10,000.00 will be needed for project related expenses, which includes the DGS appraisal review costs. The recommended allocation for this proposal is \$10,000.00. The proposed funding source allows for grants to implement or assist in the establishment of Natural Community Conservation Plans and is consistent with the purposes of this project.

The DFG has reviewed this acquisition project and recommends approval of the proposed subgrant. The proposed acquisitions have been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and are proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and under Section 15325, Class 25, as the transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Wildlife Conservation Board approve the project as proposed; approve the acceptance of a Habitat Conservation Planning Grant from the U. S. Fish and Wildlife Service in the amount of \$925,680.00 and approval of the Agreement to Subgrant the federal funds to the Coachella Valley Conservation Commission; allocate \$10,000.00 for internal project-related expenses; authorize staff to enter into agreements necessary to carry out this acquisition as described; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

- *7. Trabuco Canyon, Expansion I \$0.00
Orange County

This proposal is to consider the State's acquisition of fee title to 50± acres of privately-owned land located in Orange County. The purpose of this acquisition is to protect critical low elevation wildlife corridors, protect California gnatcatcher habitat, provide connectivity to other protected lands in the area, and prevent habitat fragmentation located in the foothills of the Santa Ana Mountains. This proposal also requests authorization to enter into an assignment and assumption of the second phase of an option agreement between The California Land Conservancy (CLC) and the landowner regarding the sale of the property.

The subject property is located in rural Trabuco Canyon, in southeastern Orange County, within the foothills of the Santa Ana Mountains. It is approximately equidistant to the city boundaries of Lake Forest, Mission Viejo and Rancho Santa Margarita. Orange County's O'Neill Regional Park and Wilderness Area and the Cleveland National Forest are within one-half mile of the property. Access to the parcel is located along Live Oak Canyon Road, a county designated Scenic Highway.

The Foothill/Trabuco Specific Plan (FTSP), adopted in 1991, comprises 6,500± acres of undeveloped land that serves as a buffer between suburban development and the Cleveland National Forest. The subject property is contained within the boundary of the FTSP. Land within the FTSP is known for its significant landform, biological and scenic resources, as well as for its recreational opportunities. The subject property is also within the planning area of the approved Southern Orange County Habitat Conservation Plan.

Acquisition of this property would secure a large portion of a wildlife corridor associated with southern Orange County; Trabuco Canyon to Cleveland National Forest. Corridors have been designated in the FTSP to ensure linkages among the following large habitat areas: Cleveland National Forest, Arroyo Trabuco, O'Neill Regional Park, Whiting Ranch Wilderness Regional Park and Santiago Creek. Large mammals using habitat that occurs within these corridors include mule deer, mountain lions, bobcats, coyotes, gray foxes, badgers, raccoons and skunks. Two designated wildlife corridors run through the subject property and the property is considered important as a low elevation habitat link for the region.

The Department of Fish and Game (DFG) will acquire and manage the property to protect the wildlife connectivity and a low elevation linkage for gnatcatchers from Southern Orange to the Cleveland National Forest, FTSP area and central Coastal NCCP planning area. The U.S. Fish and Wildlife Service (USFWS) and DFG (collectively, the wildlife agencies) jointly control the "Southern Orange County Coastal California Gnatcatcher in Lieu Fee Account" that was created through the inception of the State coastal sage scrub NCCP and the corresponding Federal listing of the gnatcatcher as threatened. The fees are collected to mitigate the impacts to gnatcatchers within the Southern Orange planning area and used to fund acquisition, management and restoration projects in Southern Orange County. From this account, the wildlife agencies committed \$100,000.00 toward the management of the initial purchase and the subject acquisition property. The funds may be used for any management work that may be necessary which may include fixing or erecting gates and fences, signage and non-native species removal.

The CLC has negotiated with the landowner to sell the property in three phases and currently holds an option agreement with the landowner for the phased purchase. The property is a total of 150± acres and each acquisition phase covers 50± acres. The negotiated purchase price for the entire property is \$5,300,000.00, with each phase being 50± acres for \$1,773,050.00. CLC will assign its purchase option for the second phase to the State. The Board

approved acquisition of the initial 50± acres at its August 28, 2008 meeting. The subject property is adjacent to that initial acquisition.

The property was appraised and the appraisal was reviewed by the Department of General Services (DGS). DGS found the appraised value was not supported, and instead established and approved a reduced fair market value of at least \$5,300,000.00. This DGS-approved value is the same as the agreed upon purchase price. The DGS review found the negotiated value of each of the three phases to be acceptable as well. It is estimated that an additional \$26,950.00 will be needed for administrative expenses by the Wildlife Conservation Board (Board), which includes the DGS' review costs, escrow and title insurance fees bringing the total cost for this proposal to \$1,800,000.00. The acquisition costs as well as the internal project-related expenses associated with this acquisition are being paid for with funds from the DFG's "Reservoir Escrow Account" which was established to mitigate the loss of habitat associated with the Santa Margarita Water District building an expanded water reservoir.

The DFG has reviewed the project and highly recommends acquisition of the second phase. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and under Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space. Subject to approval by the Board, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Wildlife Conservation Board approve the project as proposed; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

8. Cosumnes River Wildlife Area – Oneto/Denier Property \$0.00
Sacramento County

This proposal is to consider the consent to the sale of an Emergency Watersheds Protection Program Floodplain Warranty Easement by The Nature Conservancy (TNC) to the Natural Resources Conservation Service (NRCS).

The subject properties, totaling 475± acres, were acquired in 2001 by TNC through the use of Wildlife Conservation Board (WCB), CALFED, and U.S. Fish and Wildlife Service (USFWS) grants under the title of Cosumnes River Wildlife Area, Expansion 9. The proposed floodplain easement will cover a total of 617± acres. The original parcel was adjusted and combined to include additional acreages acquired with a separate CALFED grant for 142± acres.

The purpose of the floodplain easement is to restore, protect, manage, maintain and enhance the functional values of floodplains, wetlands and riparian areas. This correlates to and does not conflict with the goals set forth in the original Wildlife Conservation Board (WCB) grant agreement, which was intended for "wildlife habitat preservation, restoration, and management, wildlife-oriented

education and research, and for compatible public uses, all as may be consistent with wildlife habitat preservation.” The sale of the floodplain easement will provide federal funds to projects consistent with the management plan. These projects include restoration of existing preserve lands to riparian and floodplain habitats. These uses are consistent with the WCB grant agreement.

The first Cosumnes River Wildlife Area acquisition by the WCB was approved May 10, 1990. Subsequently, through cooperative effort with various entities including the TNC, the Department of Fish and Game (DFG), the U.S. Bureau of Land Management (BLM), the Ducks Unlimited, the Department of Water Resources, the USFWS, and the County of Sacramento, the WCB completed eleven expansions for a total of 7,308± acres. In addition to actions taken by the WCB, other public and private partners have worked to conserve 46,000± acres of property within the Cosumnes River Preserve (Preserve).

Today the Preserve and the surrounding conservation holdings represent one of the most significant habitat corridor connections between the Sacramento River Valley and the slopes of the lower Sierra Nevada Foothills. The types of habitats found within the Preserve include wetlands, riverine, riparian, irrigated pastures, vernal pools, annual grasslands and valley oak woodlands (bottomland). These areas provide habitat for a variety of federal and state listed special status species including the sandhill crane, the Swainson’s hawk, the giant garter snake, the Sacramento splittail and Chinook salmon. The Preserve also provides important wintering and foraging areas for numerous waterfowl and other migratory birds.

The primary threat to the area is from increasing development pressures, as evidenced by the recent residential development boom. Development of lands within the area would increase the need for flood control structures, which would reduce river flows in the winter and early spring, reducing flooding and lowering the water table. Such changes would adversely impact the riparian areas, marshes and ponds.

The WCB staff has prepared a consent to easement and amendment to the grant agreement. The DFG, as lead agency, prepared a Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Negative Declaration and has prepared the proposed written findings documenting the WCB's compliance with CEQA.

Staff recommends that the Wildlife Conservation Board adopt the written findings documenting its compliance with CEQA and approve this project as proposed; authorize the sale of the easement to the Natural Resources Conservation Service and amendment of the Wildlife Conservation Board grant; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

9. Humboldt Coastal Nature Center, \$150,000.00
Public Access Facilities Augmentation
Humboldt County

This proposal is to consider the allocation for a grant augmentation to Friends of the Dunes (Friends) to further fund and complete development of a public parking area, trails, and accessible public restroom facilities at the Humboldt Coastal Nature Center. The project site is located near Humboldt Bay, immediately to the north of the community of Manila, in Humboldt County.

On May 24, 2007, the Wildlife Conservation Board (Board) approved funding to acquire the 38±-acre project site that included a residential building to be used as office space and a nature center. Subsequently the Board approved funding to acquire expansions 1, 2, and 3, adding 76± acres to the nature center site, for a total of 114± acres. These combined projects helped preserve beach and sand dune habitat, ensure continuity of land managed for conservation, and provided a visitor center for information about Humboldt Bay. The site also provides recreational opportunities and public access linkages with adjacent publicly owned properties.

The current project and augmentation will help fund the development of public restroom facility, covered outdoor area, parking lot improvements and signage/trail markers to enhance public access and use of the site. The parking improvements will consist of a lower parking area to include 25 public parking spaces, 1 ADA compliant parking space and parking for 2-3 buses. The upper parking area will be reserved for staff parking and provide two additional ADA-compliant parking spaces.

At the Board's May 9, 2009 meeting an original allocation of \$126,652.00 was approved for this project. The total project cost was \$307,300.00 and included \$140,648.00 in private donations from the grantee and \$40,000.00 from the County of Humboldt. The funds were for project planning and design, restroom improvements and site work. As part of the project, the grantee had also hoped to make upgrades to the parking lot and trails; however, at that time neither the WCB nor the grantee had enough funding available to cover the cost of all the upgrades to the parking and trails. It was contemplated that if additional private funds were made available and if additional minor capital outlay funds became available to the WCB through the 2009/2010 budget, the WCB might consider an augmentation to help complete the parking lot and trail portions of the project. As part of this additional funding the Board was also looking for additional funding and match from the Friends.

Since the original proposal the Friends have made available an additional \$127,848.00 in donations for a total of \$267,848.00 in private funding match. Under the 2009/2010 budget the Board received a new appropriation of minor capital outlay funding and it is a portion of this funding that is now being considered for this project augmentation. With the addition of these funds a more permanent and improved parking area can

now be developed and improvements to the trail system and restrooms can be completed.

The total project cost is now \$584,500.00. This includes the Board's original allocation of \$126,652.00 and the \$150,000.00 proposed under this augmentation.

The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (original allocation)	\$126,652.00
Wildlife Conservation Board (augmentation)	150,000.00
Humboldt Co. Div. of Environmental Health	40,000.00
Private Donations/Landowner	<u>267,848.00</u>

TOTAL AVAILABLE FUNDING **\$584,500.00**

The Friends have agreed to manage and maintain the property for 25 years, pursuant to the terms and conditions of the grant agreement. If at any time during the life of the project the Friends are unable to manage and maintain the project improvements, they will be required to refund to the State of California an amortized amount of funds based on the number of years left on the project life.

Both the original and proposed funding sources for this project are the Wildlife Conservation Board's Wildlife Restoration Fund which provides minor capital outlay funding for the development and construction of public access facilities for hunting, fishing and other wildlife-oriented recreational uses and is consistent with the objectives of this project. The total project cost is under the \$750,000.00, the allowable limit for minor capital outlay funded projects.

The DFG has reviewed this proposal and recommends it for funding by the Board. A coastal development permit has already been obtained from the California Coastal Commission for this project. Humboldt County, as lead agency, prepared a Negative Declaration for the project pursuant to the provisions of the California Environmental Quality Act (CEQA). Staff considered the Negative Declaration and has prepared proposed written findings documenting WCB's compliance with CEQA.

Staff recommends that the Wildlife Conservation Board adopt the written findings and approve this project as proposed; allocate \$150,000.00 from the Wildlife Restoration Fund (Minor Capital Outlay); authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

10. Six Rivers (Chalk Mountain Ranch) \$35,000.00
Humboldt County

This proposal is to consider (a) a cooperative project with the California Department of Forestry and Fire Protection (CAL FIRE) and the North Coast Regional Land Trust (NRLT) wherein the State proposes to administer federal Forest Legacy Program funds pursuant to the California Forest Legacy Program (Public Resources Code section 12240 *et seq.*), through an interagency agreement (IA) between WCB and CAL FIRE, and (b) the approval to apply the federal funds to acquire a conservation easement over 3,268± acres in favor of CAL FIRE. The conservation easement would protect forest land, important scenic, fish, wildlife, riparian areas and other ecological values near the City of Fortuna and community of Bridgeville, in Humboldt County.

The property, known as Chalk Mountain Ranch, is located in the mountains of south-central Humboldt County, between the Six Rivers National Forest and Humboldt Redwoods State Park, and is accessed by Highway 36 and Alderpoint Road. The terrain varies from moderately to steeply sloping, ranging from 800 to 3,000 feet in elevation. Current uses include commercial timber operations, cattle grazing and some low impact commercial recreation, such as guided deer hunting, an annual horseback ride and limited camping.

Approximately 63 percent of the property is forested, the majority in young growth Douglas-fir. The remainder of the property is predominately oak woodland and open grassland. The ranch lies between Larabee Creek and the Van Duzen River, both important salmonid spawning tributaries to the Eel River system. Miles of seasonal and year-round creeks support diverse riparian ecosystems. The property provides habitat for a number of species, including mountain lions, black bear, blacktail deer, flying squirrels, ring-tailed cats, northern spotted owl, Pacific fisher and peregrine falcons. In combination with nearby National Forest, Bureau of Land Management, State Parks and other protected properties, this project contributes toward a corridor from the Six Rivers National Forest to the Pacific Ocean.

CAL FIRE would be the holder of the conservation easement and would contract with the NRLT to monitor compliance with the terms and conditions of the easement. The property would remain in private ownership and current grazing and timber management would continue. Without the conservation easement, it would remain vulnerable to ownership fragmentation and residential development.

The fair market value of the conservation easement interest is \$3,925,000.00, as determined by an appraisal approved by the Department of General Services (DGS). The property owner has agreed to sell the conservation easement for \$3,100,000.00, to be funded entirely by federal Forest Legacy funds. The Wildlife Conservation Board (WCB) is asked to approve an allocation for \$35,000.00 to cover transaction expenses,

including DGS' appraisal review costs, title insurance and escrow fees, which will be reimbursed by CAL FIRE as agreed in the IA entered into pursuant to California Public Resources Code section 12240. The proposed funding source allows for the acquisition or restoration of forest lands and is consistent with the project objectives.

As provided in the IA, staff of the WCB would review all proposed title documents, appraisal, preliminary title report, agreements for purchase and sale, escrow instructions and the instruments of conveyance prior to authorizing the disbursement of funds directly to the escrow holder for the purchase of the conservation easement.

There are no claims of sovereign State land ownership on the subject property. The proposed acquisition is exempt from the California Environmental Quality Act (CEQA) requirements under CEQA Guidelines Section 15313, Class 13, as an acquisition of lands for fish and wildlife conservation purposes, and under Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space. Subject to approval by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Wildlife Conservation Board administer federal Forest Legacy Program funds pursuant to the California Forest Legacy Program and apply the federal funds to acquire a conservation easement over 3,268± acres in favor of CAL FIRE as proposed; allocate \$35,000.00 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Prop.12), Section 5096.350 (a)(4)(1) to cover internal project-related expenses until reimbursed by CAL FIRE; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

11. Truckee Basin (Independence Lake) \$5,510,000.00
Nevada and Sierra Counties

Conditional Authorization – Subject to Availability of Funds

This proposal is to consider the conditional allocation for a grant to The Nature Conservancy (TNC) for a cooperative project with the Federal Desert Terminal Lake Fund, the California Natural Resources Agency, the Morgan Family Foundation, the Northern Sierra Partnership (contingent on the Partnership's approval of the grant application submitted to it), and the Sierra Nevada Conservancy, to acquire 2,325± acres to protect Lahontan cutthroat trout habitat and critical deer migration corridors west of Highway 89, in Nevada and Sierra Counties.

The property, consisting of 2,325± privately owned acres surrounding the 625±-acre State sovereign Independence Lake, is situated within the eastern slopes of the Sierra Nevada mountain range. The Independence Lake property is located off Henness Pass Road approximately five miles west of Highway 89.

Topography of the property ranges from nearly level around the lake to steep slopes, with elevation at approximately 6,900 feet.

This glacial lake property had been utilized for fishing, camping, boating, hiking and bird and wildlife viewing since the 19th century. Structures on the property consist of a lodge building constructed around 1910, two small cabins, approximately 30 public campsites and a caretaker's residence. Upon acquisition, TNC will secure the lodge and cabins to insure public safety. Eventual use or removal of these structures will be determined in the future. TNC has created a draft recreation plan which will permit day use by the public and perhaps ten primitive, hike-in camping spots. Motorboats will not be allowed on the Lake and all small watercraft will have to be hiked in a quarter of a mile from the parking to the lake. The caretaker's residence is intended to be occupied seasonally by a steward who may oversee the camping operation and assist with fish and forest management activities.

The Independence Lake watershed supports pine forests, aspen forests, riparian habitat, montane meadow habitat and nesting sites for the state endangered willow flycatcher and mountain yellow-legged frogs. Independence Lake contains the last natural lake population of the federally threatened Lahontan cutthroat trout in California and supports a variety of native fishes from the Truckee River watershed. The property is a critical fawning area for the Loyaltan-Truckee deer herd. Much of the critical summer range for this herd has been lost to development as the town of Truckee expands. These deer are also pressured on their winter range as the town of Reno expands toward the California border and development compromises deer migration corridors in that area.

The WCB has supported significant area fee and conservation easement acquisitions such as 741± acres for the Truckee River Wildlife Area, 1,481± acres known as Waddle Ranch, 4,011± acres for the Truckee River Canyon Wildlife Area, 1,350± acres known as Gray Creek Canyon and 982± acres at Perazzo Meadows. While Independence Lake is not adjacent to these other areas, the property is connected to large tracts of U. S. Forest Service land and is part of an overall objective to protect critical habitat and migration corridors in the greater Truckee Basin.

The proposed acquisition will protect a critical deer fawning area and riparian habitat and allow for fish and wildlife passage through protected linkages and corridors. It will also help to preserve one of the few remaining native strains of Lahontan cutthroat trout. Meadow protection would ensure adequate breeding habitat for willow flycatchers. TNC proposes to manage the property for habitat and species protection combined with continued recreational access.

The property owners have agreed to sell the property to TNC for the Department of General Services (DGS)-approved appraised fair market value of \$15,000,000.00. The proposed funding breakdown for the project is as follows:

Wildlife Conservation Board (WCB)	\$5,500,000.00
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Federal Desert Terminal Lake Fund	6,079,706.00
Natural Resources Agency	1,320,294.00
Morgan Family Foundation	100,000.00
Northern Sierra Partnership (if approved)	1,000,000.00
Sierra Nevada Conservancy	<u>1,000,000.00</u>

TOTAL AVAILABLE FUNDING **\$15,000,000.00**

It is estimated that an additional \$10,000.00 will be needed to cover project-related costs by the WCB, including the DGS' appraisal review fees, bringing the total proposed allocation for this project to \$5,510,000.00. The purposes of this project are consistent with the proposed funding source which allows for the acquisition of habitat that promotes the recovery of threatened and endangered species, provides corridors linking separate habitat areas to prevent habitat fragmentation, and protects significant natural landscapes and ecosystems.

In August 2009, the State Coastal Conservancy and the WCB requested an exemption from the Department of Finance Budget Letters 08-33 and 09-15 in order to allocate funds for high-priority future projects that offer significant public benefits and provide opportunities for third-party matching funds. The Department of Finance granted an exemption, allowing the WCB to review such projects, possibly approve them, and enter into new grants conditioned upon (and without any guarantee of) the future availability of State bond funding. Independence Lake is significant in that it supports the only wild lake population of Lahontan cutthroat trout left in California, and one of only two such lake populations in the world. Although this species is supported by hatcheries, wild and self-sustaining populations of Lahontan cutthroat trout have declined by 99% relative to their historic range.

TNC may identify private sources willing to provide financing to complete the acquisition, all subject to their respective boards' approval. Funding from the Federal Desert Terminal Lake Fund, as well as the Morgan Family Foundation, is available for use by TNC without immediate threat of expiration. The Natural Resources Agency has an approved grant, and due to the unavailability of bond funds, is in the process of extending the grant until mid-2010. Grants from the Northern Sierra Partnership and the Sierra Nevada Conservancy are being reviewed and are subject to approval. Should TNC complete the proposed transaction using private loan funds, State bond funds could be applied to repay the principal on the loan(s), if such State funds become available during the term of the grant. Otherwise any loan(s) would need to be repaid from non-state sources. The terms and conditions of the proposed conditional grant specify that grant funds shall not be disbursed unless and until sufficient proceeds from the designated fund source become available to WCB for such purpose, and require that WCB staff review and approve all proposed title documents, appraisals, preliminary title reports, documents for purchase and sale, escrow instructions and the instruments of conveyance prior to disbursement of funds directly into the escrow account established for the acquisition. In addition, the conditional grant would explicitly not guarantee the certainty or timing of any grant funds,

which would only be disbursed to escrow if and when the full amount of bond funds allocated for the project are available for disbursement by the WCB.

The project has been reviewed and is highly recommended for acquisition and funding by the Department of Fish and Game (DFG). The proposed acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is proposed as exempt under CEQA Guidelines Section 15313, Class 13, as an acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space. Subject to authorization by the WCB, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends that the Wildlife Conservation Board conditionally approve this project as proposed; allocate \$5,510,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 [Proposition 84, PRC Section 75055 (b)] for the conditional grant and internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

12. Jenner Headlands \$8,010,000.00
Sonoma County
Conditional Authorization – Subject to Availability of Funds

This proposal is to consider the conditional allocation for a grant to the Sonoma Land Trust (Land Trust) for a cooperative project with the U. S. Forest Service's Forest Legacy Program (FLP), the National Oceanic and Atmospheric Administration's Coastal and Estuarine Land Conservation Program (CELCP), the State Coastal Conservancy (SCC), the Sonoma County Agricultural Preservation and Open Space District (District), and the Gordon and Betty Moore Foundation, to acquire fee title to the 5,630± acre Jenner Headlands property approximately 30 miles northwest of Santa Rosa, immediately north and east of the community of Jenner, in Sonoma County.

The property is located in unincorporated western Sonoma County, 11 miles north of Bodega Bay, just north of the termination of the Russian River into the Pacific Ocean. The property is east of and adjacent to State Highway 1, and varies from gentle to moderate slopes 120 to 1,800 feet above sea-level, with spectacular ocean views. The property has supported cattle grazing and timber harvesting since the mid- to late-1800's to the present. Existing development includes two small ranch houses and typical ranch structures for livestock management. The property is accessed by unpaved roads as well as from Highway 1.

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, commonly referred to as Proposition 84, identified the Wildlife Conservation Board (WCB) as the

responsible entity to implement a grant program for forest conservation and protection projects, now known as the Forest Conservation Program. Procedures were developed for accepting applications and evaluating proposals, which measure the project's contribution to the purposes of the program. This project was reviewed and recommended under these procedures and would be the first to be funded under the program. In addition to recommendation through the WCB's Forest Conservation Program, the project was also reviewed and recommended for funding by the Department of Fish and Game (DFG) in the Jenner Headlands Land Acquisition Evaluation.

Mixed redwood and Douglas fir forest and oak woodland make up the approximately 3,200 wooded acres on the property. The balance of the property is coastal prairie and other grasslands. The property is adjacent to significant corridors of protected lands including the 10,000-acre Sonoma Coast State Beach, the Land Trust's 560-acre Little Black Mountain Preserve, and thousands of acres of other protected lands in western Sonoma County. The property includes 13 types of habitats and portions of 8 watersheds, much of which has been designated as Significant Natural Area by the DFG. This variety of forests, grasslands, wetlands and riparian areas is home to Coho salmon, steelhead, red tree vole, fox, bobcats and mountain lions, red-legged frogs, peregrine falcon and osprey, as well as six known nesting sites for northern spotted owl. Sheephouse Creek is especially noteworthy, as it is one of only three locations where the DFG is operating a collaborative reintroduction program for Coho.

The risk of development of the Jenner Headlands is high due to the existence of 42 perfected certificates of compliance on the property, the desirability of Sonoma's coast for homes and its proximity to the Bay Area. If successful, the project would include protection by a conservation easement to be granted by the Land Trust to the District, which would be consistent with and further strengthen protections required with State funding. In addition to protecting and restoring the property's forests, water resources and natural habitats, the project would also be suitable to provide educational opportunities and limited public recreational access through interpretive programs of the Land Trust and a potential future 2.5 mile link in the California Coastal Trail on the coastal terrace portion of the property.

The property would be owned and managed by the Land Trust, which intends to manage the forest to speed transition to more age-diverse and fire resistant stands of redwood and healthy, functioning forest. The Land Trust has received grants and donations to create an endowment for the ongoing stewardship and management of the property. Under the terms of the grant agreement, the WCB would visit the property at least every three years to evaluate compliance with the terms and conditions of the grant agreement.

The property is appraised at \$36,100,000.00, and that value has been approved by the Department of General Services (DGS). The landowners are willing to sell the property for \$36,000,000.00. Funding contributions are

as follows:

U. S. Forest Service	\$1,000,000.00
National Oceanic and Atmospheric Administration	5,850,000.00
State Coastal Conservancy	8,000,000.00
Sonoma County Agricultural Preservation and Open Space District	9,150,000.00
The Moore Foundation	4,000,000.00
Wildlife Conservation Board (WCB)	8,000,000.00
Landowner donation of value	<u>100,000.00</u>
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$36,100,000.00</u>

It is estimated that an additional \$10,000.00 would be needed to cover project-related costs by the WCB, including appraisal review charges by the DGS, bringing the total proposed allocation for this project to \$8,010,000.00. The proposed funding source allows for grants to protect forests, water resources and natural habitats, and is consistent with the purposes of this project.

The acquisition has been reviewed for compliance with the California Environmental Quality Act (CEQA) requirements and is exempt under CEQA Guidelines Section 15313, Class 13, as the acquisition of lands for conservation purposes, and under Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space and habitats. The appropriate Notice of Exemption would be filed with the State Clearinghouse upon approval by the WCB.

Pursuant to Section 9.45 of the Budget Act of 2009, staff of the WCB has provided written notification of the proposed acquisition to the Department of Finance and the Joint Legislative Budget Committee (JLBC). Disbursement of the conditional funding to be used for the acquisition of the Jenner Headlands property is conditioned upon the availability of bond funds sufficient to award the bond funds to the Land Trust and expiration of the JLBC 30-day review period.

Project partners recognize that it is unlikely that State bond funds will be available before the December 31, 2009 deadline for acquisition. In August 2009, the SCC and the WCB requested an exemption from the Department of Finance Budget Letters 08-33 and 09-15 in order to allocate funds for this project. The Department of Finance granted the exemption, allowing the State agencies to review the Jenner project, possibly approve it, and enter into a new conditional obligation for State bond funding.

The Land Trust identified private sources willing to provide financing to complete the acquisition, all subject to their respective boards' approval; these potential lenders include the Save the Redwoods League, The Wildlands Conservancy, and the David and Lucille Packard Foundation. The SCC approved a grant at its September 24, 2009 meeting, conditioned upon the availability of sufficient bond funds. Should the Land Trust complete the transaction using private loans, State bond funds could be applied to repay the principal on the loans, if such State

funds become available during the term of the grant. Otherwise the loans would need to be repaid from non-state sources.

The terms and conditions of the proposed conditional grant specify that grant funds shall not be disbursed unless and until sufficient proceeds from the designated fund source become available to WCB for such purpose, and require that Board staff review and approve all proposed title documents, appraisals, preliminary title reports, agreements for purchase and sale, escrow instructions and instruments of conveyance prior to disbursement of funds directly into the escrow account for the acquisition. In addition, the conditional grant would explicitly not guarantee the certainty or timing of any grant funds, which would only be disbursed to escrow if and when the full amount of bond funds allocated to the project are available for disbursement by the WCB.

Staff recommends that the Wildlife Conservation Board conditionally approve this project as proposed; allocate \$8,010,000.00 from the Forest Conservation Program [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055 (a)], for the conditional grant and internal project-related expenses; find that funding is subject to availability of bond funds and expiration of the 30-day review period by the Department of Finance and the Joint Legislative Budget Committee; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

13. San Joaquin Multi-Species Conservation Plan (2007), (2008), (2009) \$90,000.00
San Joaquin and Contra Costa Counties

This proposal is to consider the acceptance of three Habitat Conservation Planning Land Acquisition Grants (Grants) from the U.S. Fish and Wildlife Service (USFWS) and the authorization to enter into Agreements to Subgrant the federal funds to the East Contra Costa County Habitat Conservancy (Conservancy) to facilitate the acquisition of properties as identified in the Grants. These projects will help implement the East Contra Costa County Natural Community Conservation Plan/Habitat Conservation Plan (Plan) by protecting critical wildlife corridors and habitat for threatened and endangered species.

In San Joaquin County, nine local agencies have partnered to implement the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSHCP). The SJMSHCP was adopted in February of 2001 and will conserve approximately 100,000 acres to mitigate for impacts to 97 covered species. The planning area encompasses more than 900,000 acres and 1,400 square miles.

In Contra Costa County, adjacent to San Joaquin County on the west, eight local agencies have developed a regional conservation plan to address the potential conflict between future growth and protection of endangered species habitat. The plan proposes to conserve approximately 30,000 acres to benefit 28 covered

species in the watersheds that drain the east side of Mount Diablo and flow to the Sacramento-San Joaquin Delta at the boundary with San Joaquin County.

Acquiring habitat land that spans the boundaries of the San Joaquin and Contra Costa conservation planning areas is important to complement the mitigation actions of the SJMSCHCP and to promote the long term survival of a variety of listed and at-risk species whose conservation is the focus of both conservation plans.

The properties identified in the Grants will ensure conservation of critical habitat and establish linkages between neighboring conservation planning areas. The acquisition focus areas have very high conservation priority due to high habitat value on-site, and the potential to provide essential habitat and connectivity for multiple species that move across county boundaries or whose populations or habitat span the two counties covered by the two habitat conservation plans.

These acquisitions will help establish a northwest-southeast movement corridor for the endangered San Joaquin kit fox and will protect habitat for the conservation of the threatened California red-legged frog. The acquisition focus areas support a large, contiguous patch of annual grasslands and vernal pool habitat in the area.

The terms and conditions of the proposed Agreements to Subgrant will set out the requirements each property must meet prior to acquisition. Among those requirements are appraisals approved by both the Department of General Services (DGS) and USFWS, and review by the Wildlife Conservation Board (Board) of all documents related to each specific acquisition. The Grants allow the non-federal match to be in the form of non-federal dollars or in-kind matching properties. Staff of the Board will ensure the non-federal match meets the requirements of the Grant program. Staff of the Board will also review and approve all documents and related reports prior to disbursement of funds directly into an escrow established for each property. Each federal grant identifies multiple properties within the Plan. Staff proposes to accept the three federal grants, totaling \$15,500,000.00, and enter into individual Agreements to Subgrant each property selected for acquisition. Following close of escrow, staff will return to the Board to provide, on an informational basis, details regarding the purchased properties.

It is estimated that \$90,000.00 will be needed to cover internal project-related costs by the Board. The proposed funding source for the costs allows for grants to implement or assist in the establishment of Natural Community Conservation Plans and is consistent with the purpose of this Grant.

The DFG has reviewed the projects and recommends approval of the subgrants. The projects are exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15313, Class 13, as the acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of ownership interest in land to preserve open space. A Notice of Exemption will be filed with the State Clearinghouse on each individual project.

Staff recommends that the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the three Habitat Conservation Planning Land Acquisition Grants from the U.S. Fish and Wildlife Service in the amounts of \$7,000,000.00, \$6,000,000.00 and \$2,500,000.00 and authorize the Agreements to Subgrant the federal funds to the East Contra Costa County Habitat Conservancy; allocate \$90,000.00 from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, (Proposition 84), Section 75055(c) for internal project-related expenses; direct staff to provide periodic reports to the Board, on an informational basis, providing details on the properties purchased under the individual Agreements to Subgrant; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

14. Los Vaqueros Ranch Conservation Easement \$8,000.00
Monterey County

This proposal is to consider the acceptance of a U. S. Fish and Wildlife Service grant and approval to subgrant the federal funds to The Nature Conservancy (TNC) to be applied toward the acquisition of a conservation easement over 1,337± acres of property identified in the federal grant to protect critical steelhead trout habitat as well as habitat for sensitive wildlife species including the red-legged frog, yellow-legged frog, western pond turtle and intact populations of native fish, oak woodlands and grasslands in the lower watershed along the Arroyo Seco River, in Monterey County.

The Arroyo Seco River is a tributary to the Salinas River, the largest river system in the Central Coast. The Salinas extends over 155 miles from its headwaters in San Luis Obispo County to the Monterey Bay National Marine Sanctuary, near Moss Landing, in Monterey County. At its confluence with the Salinas, the Arroyo Seco River is approximately 44 miles from Monterey Bay. The Arroyo Seco watershed is centrally located between two primary release and recovery sites for the California condor: Pinnacles National Monument and Big Sur Coast. National Park Service biologists have documented that condors are increasingly using Arroyo Seco as a flight corridor when traveling between their inland and coastal release areas. Wide-ranging travel between the sites, mixing of condor populations and eliminating serious threats is critical to the condor's recovery.

The Department of Fish and Game (DFG) has identified the Arroyo Seco River, in Monterey County, as a conservation priority. Protection of the river and its surrounding properties would create a terrestrial and hydrologic connection between the northern boundary of the Los Padres National Forest and the Arroyo Seco River basin and would protect the last remaining known southern steelhead trout run in the Salinas River basin, extensive riparian habitat that provides neotropical migratory songbird and waterfowl habitat, several sensitive wildlife species including the California red-legged frog, a federally threatened species, foothill yellow-legged frog, a federal and state species of concern, the western pond turtle and several intact populations of native fish.

TNC proposes to acquire and manage a perpetual conservation easement to maintain and restore habitat for breeding populations of red-legged frogs, for steelhead passage and for potential steelhead spawning and rearing.

Conservation of aquatic and riparian habitat within the Arroyo Seco watershed will help maintain red-legged frog and steelhead presence within the greater Salinas drainage, and may provide a starting point for future restoration of historic steelhead runs in other Salinas tributaries. The conservation easement will also include measures to reduce condor exposure to key threats including lead ammunition, poison and shooting, thereby directly contributing to condor recovery in California's Central Coast.

The conservation easement was appraised for \$1,700,000.00, which has been reviewed and approved by the Department of General Services. The property owner has agreed to sell the conservation easement for \$1,600,000.00.

The proposed funding breakdown for this project is as follows:

USFWS Grant	\$500,000.00
Non-federal match from TNC	<u>1,100,000.00</u>
<u>TOTAL AVAILABLE FUNDING</u>	<u>\$1,600,000.00</u>

It is estimated that \$8,000.00 will be needed to cover internal project-related costs by the WCB. The proposed funding source for this project allows for the acquisition of habitat to protect rare threatened and endangered or fully protected species, provide corridors linking separate habitat areas and protect significant natural landscapes, and is consistent with the purposes of this project.

The DFG has reviewed the project and recommends approval of the subgrant. The project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15313, Class 13, as the acquisition of land for wildlife conservation purposes, and Section 15325, Class 25, as a transfer of an ownership interest in land to preserve open space. Subject to approval by the Wildlife Conservation Board, a Notice of Exemption will be filed with the State Clearinghouse.

Staff recommends the Wildlife Conservation Board approve this project as proposed; authorize acceptance of the Recovery Land Acquisition grant from the U.S. Fish and Wildlife Service in the amount of \$500,000.00 and authorize the Agreement to Subgrant the federal funds to The Nature Conservancy; allocate \$8,000.00 from the Habitat Conservation Fund , (Proposition 117), Section 2786 (b/c), for internal project-related expenses; authorize staff to enter into appropriate agreements necessary to accomplish this project; and authorize staff and the Department of Fish and Game to proceed substantially as planned.

15. 2010 Wildlife Conservation Board
Meeting Schedule

Informational

The tentative dates for the WCB meetings in 2010 are as follows:

February 25, 2010

May 27, 2010

August 26, 2010

November 18, 2010